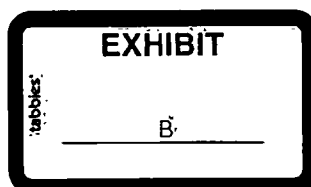


STATE OF OHIO                                 )  
  ) ss: DECLARATION OF MICHAEL GRAHAM  
COUNTY OF HAMILTON                     )

1, Michael Graham, depose and say that:

1. My father, Michael Graham, is a retired Staff Sergeant from the Marines;
2. My daughter, Jaiyell, is age 1;
3. I graduated high school in 1996 from Kubasaki High School in Okinawa, Japan;
4. Attached as Exhibits 1-4 are true and accurate copies of two MVP awards and two Certificate of Achievements that I received from Best Buy while working in their West Palm Beach, Florida store;
5. Best Buy employees Nicholas LoCascio and Andrew DiGennero are both white males;
6. Of the 20 employees that I supervised at the Best Buy store in Macedonia, 18 were white and 2 were African-American;
7. In March 2005, I disciplined Nicholas LoCascio at least twice for performance issues;
8. The girlfriend of former Best Buy employee Terrance Williams is African-American;
9. In February 2005, Marc Rankin hired a white male who was the boyfriend of a white female employee already working in the Macedonia store's Media department;
10. Former Best Buy employee Anthony Lewis is an African-American male. In my deposition, I mistakenly refer to Mr. Lewis as "Kenneth". In February 2005, Marc Rankin mentioned to me that he wanted to terminate Mr. Lewis, but I suggested that Mr. Lewis be provided appropriate training;
11. Former Best Buy employees Kapree Harrell and Jonita Hicks are African-American females;
12. In December 2004, I spoke with Marc Rankin about assigning Terrance Williams to work as a car radio installer and improving his hours;
13. Around April 12, 2005, I stopped Andrew DiGennero from charging an African-American male a 15% restocking fee on a TV that he wanted to return to Best Buy;
14. Attached as Exhibit 5 is a true and accurate copy of the register receipt showing the return of a 50" HDTV by the African-American male customer who Andrew DiGennero and Marc Rankin attempted to charge a restocking fee;
15. In September 2004, I asked Marc Rankin if I could leave early to take my girlfriend to the hospital due to complications in her pregnancy;



16. Price tags used by Best Buy show the retail price and contain a description of the product. The price tags for the computer and monitor that I wanted to purchase had an additional tag, called an open item sticker, which contained a discounted price because each was a display, or what is also called an "open box item":

17. Best Buy employee Wayne Jones is an African-American male:

18. On April 22, 2005, my supervisor, Marc Rankin, pulled me into a meeting with him and Tim Collins. Mr. Collins asked me what I thought the meeting was about. I stated that I thought the meeting was about the personnel problems in the store that I had previously discussed with Mr. Rankin and regarding my actions in defending my co-worker, Wayne Jones, against claims of sexual harassment that were made against him:

19. The new, discontinued computer that I wanted to purchase did not have a license plate on it. License plates were only placed on shelf displays, open items, defective equipment, and junkouts:

20. After I was terminated on April 22, 2005, I was replaced by a white male, Tim, who had worked in the Camera department in the Macedonia store:

21. Former Best Buy employee Russell Weiser was a white male who worked at the Best Buy Macedonia store as a PCHO Customer Service Specialist during my tenure there between June 2004 and April 2005. Mr. Weiser was terminated in February 2005 by Best Buy for violating an Employee Purchase Policy:

22. Other my arrest and indictment in Lorain County, to my knowledge, I have had no other criminal charges pending against me:

23. Attached as Exhibit 6 is a true and accurate copy of a letter that I wrote and sent to the Ohio Civil Rights Commission.

I declare under penalty of perjury that the foregoing is true and correct.

  
Michael Graham

Executed on

7/25/07

TEAM BEST BUY

MVP

MOST VALUABLE PLAYER

NAME

Michael Graham

ACHIEVEMENT

MVP - month of November

SUPERVISOR

John Miller

DATE

11/7/92

IN APPRECIATION OF  
YOUR EXCEPTIONAL WORK ETHIC AND UNDISPUTED DEDICATION  
TO THE SUCCESS OF YOUR TEAM AND THE COMPANY

EXHIBIT

1

tabbies

0550078

# MAY

IN APPRECIATION OF YOUR EXCEPTIONAL  
WORK ETHIC AND UNDISPUTED  
DEDICATION TO THE SUCCESS OF OUR  
TEAM AND THE COMPANY

## Certificate of Achievement

This Award is presented in recognition of your  
Outstanding Performance throughout the month.  
Your initiative and hard work has set the pace for  
others to follow.

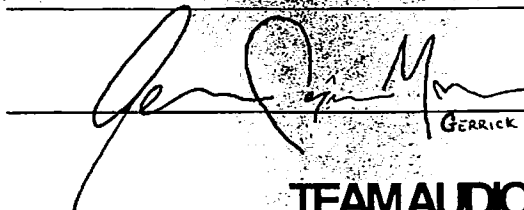
**BEST BUY**

**MICHAEL GRAHAM**

Presented to

**EMPLOYEE OF THE MONTH**

**MAY 1998**



GERRICK MOORE

Supervisor

**TEMAUDIO**

**EXHIBIT**

tabbies

2

0550077

TEAM BEST BUY

MVP

MOST VALUABLE PLAYER

NAME

*Mike Graham*

ACHIEVEMENT

*Outstanding Performance*

SUPERVISOR

*Samuel Moore*

DATE

*9/12/98*

IN APPRECIATION OF  
YOUR EXCEPTIONAL WORK ETHIC AND UNDISPUTED DEDICATION  
TO THE SUCCESS OF YOUR TEAM AND THE COMPANY.

EXHIBIT

3

tabbies

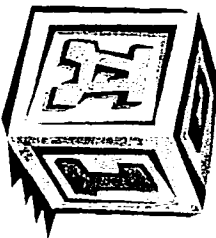
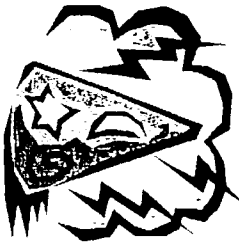
0550076

# Certificate of Achievement

This certifies that

Mike GRAYAN

has successfully completed the  
Mentorship Program  
at Best Buy Store #



Best Buys  
Mentorship  
Seal of  
Excellence

Human Resource Representative

Date

10-7-98

General Manager

Date

Store Manager

Date

EXHIBIT

\*\*\*\*\* START RECEIPT \*\*\*\*\*

WELCOME TO BEST BUY #758

MACEDONIA, OH 44056

(330)468-6850

Val #: 0557-9239-5473-0188

0758 041 0491 04/19/05 19:42 0284770

EXCHANGE

ORIGINAL STORE# 0758

ORIGINAL TERMINAL# 060

ORIGINAL TRANSACTION# 2572

ORIGINAL SALE DATE 040205

## RETURN ITEMS

6376539 50PF9956 4,748.99-  
50" HDTV PLASMA

## SALE ITEMS

6944015 DVD	0.00
SKY CAPTAIN & WORLD OF TOMORR	
6058099 DVD	0.00
LEAGUE OF EXTRAORDINARY GENTL	
6884008 DVD	0.00
I ROBOT (2004) WS	
6736874 DVD	0.00
MAN ON FIRE	
6722326 DVD	0.00
JOHNSON FAMILY VACATION	
6781618 DVD	0.00
DAY AFTER TOMORROW (2004) WS	
6897183 DVD	0.00
BLUE COLLAR COMEDY TOUR RIDES	
6817117 DVD	0.00
CHRONICLES OF RIDDICK (UNRATE	
6770906 DVD	0.00
VAN HELSING WS	
6731101 DVD	0.00
DAWN OF THE DEAD DIR CUT FS	
6314981 SD-V55HT	289.99-
COMBO HOME THEATER IN A BOX	
6944015 DVD	21.99
SKY CAPTAIN & WORLD OF TOMORR	
6884008 DVD	21.99
I ROBOT (2004) WS	
6722326 DVD	14.99
JOHNSON FAMILY VACATION	
6781618 DVD	14.99
DAY AFTER TOMORROW (2004) WS	
6731101 DVD	14.99
DAWN OF THE DEAD DIR CUT FS	

-----  
SUBTOTAL 4,950.03-  
SALES TAX 6.75 % 334.13-  
=====

TOTAL 5,284.16-

EXHIBIT

5

DEC 28 2005 08:04

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CONFIDENTIAL

To whom this may concern,

My name is Michael Graham II. I strongly feel that I was discriminate against due to my race and color of my skin during my employment and termination with bestbuy. I have complained with Bestbuy District Human Resources, and she did not interview any of the names that I gave her who would have knowledge of Bestbuy discriminating practices. One of the bestbuy managers where in the room when the ohio civil commissions representative was questioning staff. I feel that their responses were motivated and influenced by that. I was threatened legally by a white male manager during my termination and later was harassed with a criminal charge maliciously after the fact I filed unemployment put out a claim with the ohio civil commissions office. To conclude my rights have been violated and I request if all possible if someone was able to take another look at this

EXHIBIT

6

tabbles

1:00 PM 12/27/06

Dec 27 05 03:57p



CONFIDENTIAL

matter. A white male was only  
written up, recently, for falsifying  
company documents. Bestbuy is  
claiming that I did the same  
in which I did not and I was  
terminated.

Sincerely,

Michael Shkowitz  
Michael Graham